REMARKS

These comments are responsive to the Office Action dated April 29, 2009, which rejected pending claims 44-51 under 35 U.S.C. § 103(a) as being unpatentable over Conley (US2002/0099904) in view of Chien et al. (US patent number 6,742,078) and the newly cited reference of Margolus et al. (US7,478,096). It is respectfully submitted that these rejections are in error and should be withdrawn.

Considering the newly cited reference of Margolus, this presents methods for "protecting historical records of stored data entities", as stated in the Abstract and first sentence of the Summary. That is, Margolus is entirely concerned with different versions from different time of a data "entity" and how to maintain, and when to delete, such historical copies of a set of data. The Office Action specifically cites Margolus at column 4, lines 38-67, and column 20, line 12, to column 21, line 46. The first of these sections is from the Summary and related to when to retain, and when to delete historical copies of a data entity and, at its end, it used the word "block", but with a different meaning and in a different context than in the current application. The second cited portion of Margolus is a section entitled "Overriding Version Retention Policy", relates to "An administrative mechanism ... to allow an authorized client to delete non-current versions", and is concerned with when and how to delete out of date, not currently active versions of data. This is something quite different than what is being claimed.

In its remarks, the Office Action states that "Margolus teaches to a method for providing rapid and efficient access to active data by maintaining record of the metablock links in a data storage system with sharing a set of rules so that updating the metablock links deviates from the set of rules". This is respectfully submitted to be incorrect in several respects. First, Margolus is not concerned with accessing "active data", but instead how to handle (and when to delete) non-current versions of such data. Also, Margolus appears to have no teachings related to, or even mention of, the concept of a "metablock" or such linking of physical structures of a memory device, but instead only uses "block" in a different context and with a different meaning (as a "datablock", or data "entity"). Further, Margolus has nothing on updating an existing linking as it "deviates from the set of rules", but instead keeps track of the historical versions of a set of date.

Although believed allowable in its previous form, independent claim 44 has been amended somewhat to make its distinctions over the prior art even more explicit. The first element of claim 44 now reads:
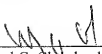
> establishing by the controller of an initial set of metablock linkings by which the controller accesses *data indentified by currently active logical addresses on* the non-volatile memory, each metablock linking comprised of a composite logical linking of a plurality of said units of erase and where the controller forms said initial set of metablock linkings according to a rule;

where the emphasis has been added. As this emphasized language makes clear, unlike Margolus, with keeps track of obsolete versions of the same data "entity", this is a linking of "currently active logical addresses".

Therefore, for at least these reasons, as well as for the reasons previously discussed with respect to the previously cite references of Conley and Chien, it is respectfully submitted that a rejection of claim 44 under 35 U.S.C. § 103(a) as being unpatentable over Conley (US2002/0099904) in view of Chien et al. (US patent number 6,742,078) and f Margolus et al. (US patent number 7,478,096) is not well founded and should be withdrawn. Claims 45-51 are all dependent claims and, consequently, allowable as well, with a number of these including further limitation that make them further allowable, although these will not be discussed further at this time.

Consequently, it is now believed that the present application is now in form for allowance, an early indication of which is earnestly solicited.

Respectfully submitted,

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